

March 12, 2003

Kenneth E. May, Mine Manager
Canyon Fuel Company, LLC
397 South 800 West
Salina, Utah 84654

Re: Follow-up on Link Canyon Portal Amendment, Canyon Fuel Company, LLC., SUFCO Mine, C/041/002-AM02E, Outgoing File

Dear Mr. May:

The Division approved the amendment for constructing and utilizing a portal in the Link Canyon area on January 21, 2003. We have been working closely with your representatives and other State and Federal agencies in assuring that the work at the portal has been completed. We understand that all of the work, with the exception of gating the portal, was completed before March 1, 2003. This was the date that the work was to be completed so that there would be no conflict with the potential for nesting Mexican Spotted Owls. Today, the Bureau of Land Management contacted us and voiced strong concern about the gate not being in place. It is their concern that gate must be installed as quickly as possible both for public safety and resource protection.

We have contacted the US Fish and Wildlife Service and they have agreed that one "calling survey" the night before installation of the gate would be sufficient, if there is a negative response to the calling survey. The mine gate could be installed the next day, and within that day, after the negative response to the calling. We are in agreement with the BLM that it is incumbent on the mine to complete this project. Thus, we ask that SUFCO make immediate arrangements to complete the project.

Thank you for your help in completing this action. If you have any questions, please feel free to call me at (801) 538 5306 or Daron Haddock at (801) 538-5325.

Sincerely,

Mary Ann Wright
Associate Director, Mining

cc: Jim Kohler, BLM
Pat Gubbins, BLM
Elaine Zieroth, USFS
Derris Jones, DWR
Henry Maddux, USFWS
Price Field Office
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